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| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) | <i>Complete if Known</i>    |                                 |
|  | <b>Application Number</b>   | 09/441,388                      |
|  | <b>Filing Date</b>          | November 16, 1999               |
|  | <b>First Named Inventor</b> | Matthew F. Ackley               |
|  | <b>Group Art Unit</b>       | 2173                            |
|  | <b>Examiner Name</b>        | Michael Roswell                 |
| Sheet 1 of 1   |                             | Attorney Docket No: 2043.162US1 |

| US PATENT DOCUMENTS |                     |                  |   |                            |
|---------------------|---------------------|------------------|---|----------------------------|
| Examiner Initial *  | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Filing Date If Appropriate |
|                     | US-6,434,536        | 08/13/2002       | Geiger, T., et al.                              | 12/23/1998                 |
|                     | US-6,606,608        | 08/12/2003       | Bezos, Jeffery P.                               | 07/19/1999                 |
|                     | US-7,020,632        | 03/28/2006       | Kohls, L., et al.                               | 01/11/1999                 |
|                     | US-7,188,080        | 03/06/2007       | Walker, J. S, et al.                            | 06/29/2000                 |
|                     | US-7,505,932        | 03/17/2009       | Kemp, G. A, et al.                              | 02/18/2005                 |
|                     | US-7,509,283        | 03/24/2009       | Friesen, R. W, et al.                           | 05/03/2006                 |

| FOREIGN PATENT DOCUMENTS |                     |                  |   |                |
|--------------------------|---------------------|------------------|---|----------------|
| Examiner Initials*       | Foreign Document No | Publication Date | Name of Patentee or Applicant of cited Document | T <sup>1</sup> |

| OTHER DOCUMENTS – NON PATENT LITERATURE DOCUMENTS |   |  |  |                |
|---|---|--|--|----------------|
| Examiner Initials*                                | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  | T <sup>1</sup> |
|   | Ubid.com; <a href="http://www.ubid.com/category/listing.aspx?catid=O&amp;uwb=uwb63174&amp;AID=10297033&amp;PID=799335">http://www.ubid.com/category/listing.aspx?catid=O&amp;uwb=uwb63174&amp;AID=10297033&amp;PID=799335</a> , (July 11,2000), 1-12 Pages      |  |  |                |
|   | Application Serial No. 09/685,449 Non-Final Office Action Mailed 05/27/09, 26 pgs   |  |  |                |
|   | Application Serial No. 09/686,073, Non-Final Office Action mailed 06/30/09, 17 Pgs  |  |  |                |
|   | Application Serial No. 10/201,586, Final Office Action mailed 04/29/09, 8 pgs   |  |  |                |
|   | Application Serial No. 10/201,586, Response filed 06/17/09 to Final Office Action mailed 04/29/09, 9 pgs  |  |  |                |
|   | Application Serial No. 11/027,735, Final Office Action mailed 04/14/09, 13 pgs  |  |  |                |
|   | Application Serial No. 11/352,173, Non-final office action mailed 05/27/09, 19 pgs  |  |  |                |
|   | Application Serial No. 11/648,307, Response filed 04/23/09 to final Office Action mailed 02/23/09, 9 pgs.   |  |  |                |
|   | ELLIOTT, S R, "Innovative Rate Structures for Electrical Utility peak Load Management: An Experimental Approach", University of Colorado at Boulder, (1990), Page 1.  |  |  |                |
|   | KETCHAM, J, et al., "A Comparison of Posted-Offer and Double-Auction Pricing Institutions", <u>The Review of Economic Studies</u> ; vol. 51, No.4, (October 1984), 595-614 Pages  |  |  |                |
|   | RITTENHOUSE, R C, "Action builds on 1990 Clean Air Act compliance", Power Engineering v96, n5, (May 1992), 1-6 Pages  |  |  |                |
|   | TIMOTHY, S V, "A model of the Perishable Inventory System with Reference to Consumer-Realized Product Expiration", <u>The journal of the Operational Research Society</u> ; Vol. 45, No.5, (May 1991), 519-528 Pages  |  |  |                |

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant is to place a check mark here if English language Translation is attached